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13 *Attorneys for Appellants*

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 In re:

17 TURNBERRY/MGM GRAND TOWERS,  
18 LLC

19 ☒ Affects this Debtor.

20 In re:

21 TURNBERRY/MGM GRAND TOWER B,  
22 LLC,

23 ☐ Affects this Debtor.

24 TURNBERRY/MGM GRAND TOWER C,  
25 LLC,

26 ☐ Affects this Debtor.

27 ☐ Affects All Debtors  
28

Case No.: 2:16-cv-01863-JAD

Bankruptcy Case No.: 15-13706-abl

Chapter 11

Jointly Administered with:

Case No.: 15-13708-abl TURNBERRY/MGM  
GRAND TOWER B, LLC

Case No.: 15-13709-abl TURNBERRY/MGM  
GRAND TOWER C, LLC

Adv. Proc. No. 15-01123-abl

**STIPULATION AND PROPOSED ORDER  
TO VACATE CURRENT BRIEFING  
DEADLINES**

**(Second Request)**

1  
2 KJH & RDA INVESTOR GROUP, LLC, et al.  
3 Appellants,  
4 vs.  
5 TURNBERRY/MGM GRAND TOWERS,  
6 LLC,  
7 Appellee.

8 Appellants KJH & RDA Investor Group, LLC et al. (õAppellantsö), by and through their  
9 counsel, Fennemore Craig, P.C., Blumenthal Nordrehaug & Bhowmik and Gerard & Associates,  
10 and Appellee Turnberry/MGM Grand Towers, LLC (õAppelleeö, and together with the  
11 Appellants, the õPartiesö), by and through their counsel, the law firm of Garman Turner Gordon  
12 LLP, hereby stipulate and agree as follows:

13  
14 WHEREAS, on September 22, 2016, the Appellants, Appellee and other related parties  
15 entered into a Mediation Agreement to settle all claims related to this litigation, including the  
16 instant Appeal, which Agreement contemplates the execution of a Settlement Agreement and  
17 Release by each of the Appellants.

18  
19 WHEREAS, on September 28, 2016, the Parties entered into a Stipulation and Proposed  
20 Order to Vacate Current Briefing Deadlines (ECF No. 7), which was approved by the Court on the  
21 same date (ECF No. 8).

22  
23 WHEREAS, the current deadline for Appellants to file their Opening Brief is **December**  
24 **14, 2016**, the deadline for Appellee to file an Answering Brief is **January 13, 2017**, and the  
25 deadline for Appellants to file a Reply Brief is **January 27, 2017** (the õBriefing Scheduleö).

26  
27 WHEREAS, progress toward finalizing the settlement thus far has been successful and  
28 satisfactory to the Parties. Given the close proximity of the current Briefing Schedule regarding  
the Appeal, however, the Parties have agreed to continue the briefing deadlines an additional 90

1 days to allow additional time for the settlement to be effectuated. This is the second stipulation  
2 for an extension of time regarding the Briefing Schedule.

3 NOW, THEREFORE, the Parties hereby stipulate and agree as follows:

4 1. The current Briefing Schedule shall be vacated to allow the Parties sufficient time  
5 to finalize the Settlement.

6 2. The new briefing schedule, if necessary, is as follows: The deadline for Appellants  
7 to file their Opening Brief is **March 13, 2017**, the deadline for Appellee to file an Answering  
8 Brief is **April 12, 2017**, and the deadline for Appellants to file a Reply Brief is **April 26, 2017**.

9 DATED this 5th day of December, 2016.

10  
11  
12 PREPARED AND SUBMITTED:  
GERARD & ASSOCIATES

APPROVED:  
GARMAN TURNER GORDON LLP

13  
14 By: /s/ Robert B. Gerard  
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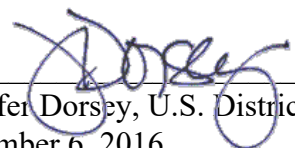
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27 //

## ORDER

In light of the parties' progress on settlement as reflected in this stipulation, the briefing schedule [ECF No. 8] is VACATED. The parties shall appear for a STATUS CHECK on 2/6/17 at 11:00 a.m. in Courtroom 6D of the Lloyd D. George U. S. Courthouse, 333 Las Vegas, Blvd. So. If settlement is completed before that time, the stipulation and order to dismiss should include the language "the Clerk of Court is instructed to vacate all hearings and close this case."

28  
  
Jennifer Dorsey, U.S. District Judge  
December 6, 2016